



Senate

General Assembly

January Session, 2009

File No. 358

Senate Bill No. 1095

Senate, March 31, 2009

The Committee on Transportation reported through SEN. DEFRONZO of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT REQUIRING FINES TO BE DOUBLED FOR CERTAIN VIOLATIONS COMMITTED IN CONSTRUCTION ZONES ON MUNICIPAL ROADS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-212a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 (a) The Superior Court shall impose an additional fee equivalent to
4 one hundred per cent of the fine established or imposed for the
5 violation of the provisions of section 14-213, 14-213b, 14-214, 14-215,
6 14-216, 14-218a, 14-219, 14-220, 14-221, 14-222, 14-222a, 14-223, 14-224,
7 14-225, 14-227a, 14-230, 14-230a, 14-231, 14-232, 14-233, 14-235, 14-236,
8 14-237, 14-238, 14-238a, 14-239, 14-240, 14-240a, 14-241, 14-242, 14-243,
9 14-244, 14-245, 14-246a, 14-247, 14-247a, 14-248a, 14-249, 14-250, 14-
10 250a, 14-257, 14-261, 14-266, 14-271, 14-273, 14-279, 14-281a, subsection
11 (e) or (g) of section 14-283, section 14-289a or 14-289b for any such
12 violation committed (1) while construction work is ongoing within a
13 highway construction zone designated in a conspicuous manner by the

14 Department of Transportation, (2) while construction work is ongoing
15 within a municipal road construction zone designated in a
16 conspicuous manner by such municipality, (3) while utility work is
17 ongoing within a utility work zone designated in a conspicuous
18 manner by a public service company, as defined in section 16-1, or by a
19 water company, as defined in section 25-32a, or (4) while activities are
20 ongoing in a traffic incident management zone.

21 (b) (1) The Department of Transportation shall post a sign at the
22 beginning of a highway construction zone which shall read as follows:
23 "ROAD WORK AHEAD FINES DOUBLED", and at the end of such
24 zone which shall read as follows: "END ROAD WORK".

25 (2) A municipality shall post a sign at the beginning of a municipal
26 road construction zone which shall read as follows: "ROAD WORK
27 AHEAD FINES DOUBLED", and at the end of such zone which shall
28 read as follows: "END ROAD WORK".

29 [(2)] (3) A public service company or water company shall post a
30 sign at the beginning of a utility work zone which shall read as
31 follows: "UTILITY WORK AHEAD FINES DOUBLED", and at the end
32 of such zone which shall read as follows: "END UTILITY WORK".

33 [(3)] (4) As used in this section, "traffic incident management zone"
34 refers to an area of a highway where temporary traffic controls or
35 measures are installed under the authority of the Commissioner of
36 Transportation, Commissioner of Public Safety, or local "traffic
37 authority", as defined in section 14-297, in response to a motor vehicle
38 incident, natural disaster, hazardous material spill or other unplanned
39 incident. The traffic incident management zone shall be delineated by
40 the use of one or more temporary traffic control devices or measures
41 such as signs, cones, flares or visible flashing or revolving lights which
42 meet the requirements of sections 14-96p and 14-96q.

43 (c) The state or any agency or employee of the state shall not be
44 civilly liable for any injuries or damages to any person or property
45 which may result, either directly or indirectly, from failure on the part

46 of the Department of Transportation to post any sign required under
47 subsection (b) of this section.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2009</i>	14-212a
-----------	------------------------	---------

TRA *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
Judicial Dept.	TF - Revenue	\$37,500 -	50,000 -
	Gain	\$75,000	100,000

Note: TF=Transportation Fund

Municipal Impact: None

Explanation

The bill extends the penalty enhancement (an additional fee equal to 100% of the fine imposed) applicable to any motor vehicle violations that occur in appropriately marked state highway construction or utility work zones to include construction zones on municipal roads. Under current law, penalty enhancements (which also include violations that occur in school zones) generate about \$200,000 in revenue annually. Based on the level of revenue generated under current law, it is anticipated that the bill would yield a state revenue gain of \$50,000 - \$100,000 annually. Since the effective date of the bill is October 1, 2009, the FY 10 revenues would be 75% less.

The Out Years

The annualized ongoing fiscal impact identified above would remain constant into the future since fines are set by statute.

OLR Bill Analysis**SB 1095*****AN ACT REQUIRING FINES TO BE DOUBLED FOR CERTAIN VIOLATIONS COMMITTED IN CONSTRUCTION ZONES ON MUNICIPAL ROADS.*****SUMMARY:**

By law, if certain motor vehicle violations occur in an appropriately marked (1) state highway construction or (2) utility work zone, the court must impose on the violator a fee equal to 100% of the fine established for that violation. This bill extends this penalty enhancement to any such violations that occur in an appropriately marked construction zone on a municipal road. It requires the same posting of advisory signs at the beginning and end of the municipal highway construction zone as apply for state highway and utility work zones. But, unlike state agencies or their employees under the current law, municipalities and their employees are not exempted from civil liability for injuries or damages that may occur, either directly or indirectly, from a failure to post the required signs.

EFFECTIVE DATE: October 1, 2009

COMMITTEE ACTION

Transportation Committee

Joint Favorable

Yea 35 Nay 0 (03/13/2009)